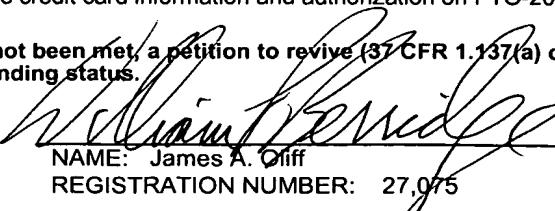
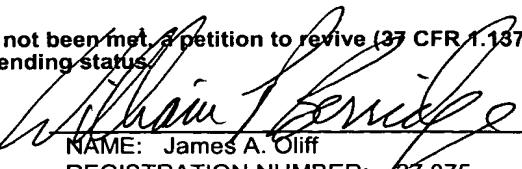


FORM PTO-1390 (REV. 01-2003)		US DEPARTMENT OF COMMERCE PATENT & TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 126577
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) New U.S. National Stage of PCT/JP2004/009829 <b>10/563763</b>	
INTERNATIONAL APPLICATION NO. PCT/JP2004/009829	INTERNATIONAL FILING DATE July 9, 2004	PRIORITY DATE CLAIMED July 10, 2003	
TITLE OF INVENTION PROCESS FOR PRODUCING OPTICALLY ACTIVE $\beta$ -HYDROXY- $\alpha$ -AMINOCARBOXYLIC ACID DERIVATIVE			
APPLICANTS FOR DO/EO/US Yasumasa HAMADA; Kazuishi MAKINO			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul> </p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))           <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> <li>c. <input type="checkbox"/> The International Application was filed in English.</li> </ul> </p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ul> </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventors (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>			
Items 11 to 20 below concern document(s) or information included:			
<p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: Transmittal of Power of Attorney and Statement; International Search Report</p>			

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER		
New U.S. National Stage of PCT/JP2004/009829 <b>505703</b>	PCT/JP2004/009829	126577		
21. <input checked="" type="checkbox"/> The following fees are submitted:		<b>CALCULATIONS</b> <b>PTO USE ONLY</b>		
<b>BASIC NATIONAL FEE (37 CFR 1.492(a)):</b> ..... \$ 300.00		\$300.00		
<b>SEARCH FEE (37 CFR 1.492(b)(1)-(3)):</b>		\$400.00		
International preliminary examination report or written opinion prepared by the USPTO as IPEA or ISA and favorable as to novelty, inventive step, and industrial applicability for all claims presented in the application entering the national stage ..... \$ 0.00				
International search fee (37 CFR 1.445(a)(2)) paid to USPTO as ISA.....\$ 100.00				
International search report provided to USPTO no later than the time at which the search fee is paid ..... \$ 400.00				
All situations not provided for above.....\$ 500.00				
<b>EXAMINATION FEE (37 CFR 1.492(c)(1)-(2)):</b>		\$200.00		
International preliminary examination report or written opinion prepared by the USPTO as IPEA or ISA and favorable as to novelty, inventive step, and industrial applicability for all claims presented in the application entering the national stage ..... \$ 0.00				
All situations not provided for above.....\$ 200.00				
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$		
TOTAL PAGES OF APPLICATION OVER 100 (0 - 100)	0 ÷ 50	= 10	x 250 =	\$0
round up to next integer				
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
TOTAL CLAIMS	13 - 20	= 0	x 50.00 =	\$0
INDEPENDENT CLAIMS	2 - 3	= 0	x 200.00 =	\$0
MULTIPLE DEPENDENT CLAIM(S)(if applicable)		+ 360.00 =	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$900.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½ .				\$
<b>SUBTOTAL =</b>				\$900.00
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$
<b>TOTAL NATIONAL FEE =</b>				\$900.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property +				\$
<b>TOTAL FEES ENCLOSED =</b>				\$900.00
				Amount to be refunded: \$
				charged: \$
a. <input checked="" type="checkbox"/> Check No. <u>174998</u> in the amount of <u>\$900.00</u> to cover the above fees is enclosed.				
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.				
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>15-0461</u> . A duplicate copy of this sheet is enclosed.				
d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.				
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.				
SEND ALL CORRESPONDENCE TO: OLIFF & BERRIDGE, PLC. Customer Number: 25944				
 NAME: James A. Oliff REGISTRATION NUMBER: 27,075				
Date <u>January 9, 2006</u> NAME: William P. Berridge REGISTRATION NUMBER: 30,024				

U.S. APPLICATION NO. (Known set 27 CFR 1.19) New U.S. National Stage PCT/JP2004/009829	10/05/03 703	INTERNATIONAL APPLICATION NO. PCT/JP2004/009829	ATTORNEY'S DOCKET NUMBER 126577
21. <input checked="" type="checkbox"/> The following fees are submitted:		<b>CALCULATIONS</b> <b>PTO USE ONLY</b>	
<b>BASIC NATIONAL FEE (37 CFR 1.492(a)):</b> ..... \$ 300.00		\$300.00	
<b>SEARCH FEE (37 CFR 1.492(b)(1)-(3)):</b>		\$400.00	
International preliminary examination report or written opinion prepared by the USPTO as IPEA or ISA and favorable as to novelty, inventive step, and industrial applicability for all claims presented in the application entering the national stage ..... \$ 0.00			
International search fee (37 CFR 1.445(a)(2)) paid to USPTO as ISA.....\$ 100.00			
International search report provided to USPTO no later than the time at which the search fee is paid ..... \$ 400.00			
All situations not provided for above.....\$ 500.00			
<b>EXAMINATION FEE (37 CFR 1.492(c)(1)-(2)):</b>		\$200.00	
International preliminary examination report or written opinion prepared by the USPTO as IPEA or ISA and favorable as to novelty, inventive step, and industrial applicability for all claims presented in the application entering the national stage ..... \$ 0.00			
All situations not provided for above.....\$ 200.00			
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$	
TOTAL PAGES OF APPLICATION OVER 100 (0 - 100)	0 ÷ 50	= 10	x 250 = \$0
†round up to next integer			
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE \$
TOTAL CLAIMS	13 - 20	= 0	x 50.00 = \$0
INDEPENDENT CLAIMS	2 - 3	= 0	x 200.00 = \$0
MULTIPLE DEPENDENT CLAIM(S)(if applicable)		+ 360.00 = \$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>		<b>\$900.00</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½ .		\$	
<b>SUBTOTAL =</b>		<b>\$900.00</b>	
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		\$	
<b>TOTAL NATIONAL FEE =</b>		<b>\$900.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property +		\$	
<b>TOTAL FEES ENCLOSED =</b>		<b>\$900.00</b>	
		Amount to be refunded: \$	
		charged: \$	
a. <input checked="" type="checkbox"/> Check No. <u>174998</u> in the amount of <u>\$900.00</u> to cover the above fees is enclosed.			
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.			
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>15-0461</u> . A duplicate copy of this sheet is enclosed.			
d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.			
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SEND ALL CORRESPONDENCE TO: OLIFF & BERRIDGE, PLC Customer Number: 25944			
 NAME: James A. Oliff REGISTRATION NUMBER: 27,075			
Date <u>January 9, 2006</u> NAME: William P. Berridge REGISTRATION NUMBER: 30,024			

**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Yasumasa HAMADA et al.

Application No.: New U.S. National Stage of  
PCT/JP2004/009829

Filed: January 9, 2006

Docket No.: 126577

For: PROCESS FOR PRODUCING OPTICALLY ACTIVE  $\beta$ -HYDROXY- $\alpha$ -AMINOCARBOXYLIC ACID DERIVATIVE

**TRANSMITTAL OF POWER OF ATTORNEY AND  
STATEMENT UNDER 37 CFR § 3.73(b)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith is a Power of Attorney from the Assignee.

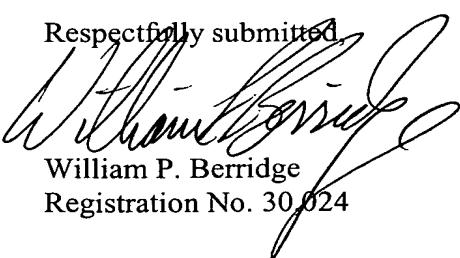
In compliance with 37 CFR §3.73(b), the undersigned hereby states that NISSAN CHEMICAL INDUSTRIES, LTD. is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors of the patent application identified above. A copy of the assignment is attached hereto and is concurrently being submitted for recordation.

The undersigned is authorized to act on behalf of the assignee.

In accordance with 37 CFR §1.36(a), submission of this Power of Attorney revokes any powers of attorney previously given.

**ALL CORRESPONDENCE IN CONNECTION WITH THIS APPLICATION SHOULD BE SENT TO OLIFF & BERRIDGE, PLC, CUSTOMER NO. 25944, TELEPHONE (703) 836-6400.**

Respectfully submitted,



William P. Berridge  
Registration No. 30,024

WPB/mps

Date: January 9, 2006